

**Notice of Allowability**

Application No.

10/796,450

Examiner

Courtney Thomas

Applicant(s)

WILSON, DAVID G.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination (RCE) filed: 04/20/06.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>04/20/06</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 04/20/06 has been entered.

### *Allowable Subject Matter*

2. Claims 1-34 are allowed.

3. The following is an examiner's statement of reasons for allowance:

4. **As per claim 1 and dependent claims 2-13**, the examiner found no reference in the prior art that disclosed or made obvious an apparatus for use in a cephalostat comprising: a collimator for defining the shape of an X-ray beam; a soft tissue filter screen for attenuating a portion of the X-ray beam, wherein the soft tissue filter screen comprises: a) an anterior facial portion having a leading edge, wherein the leading edge is located at the most posterior position of the anterior facial portion, and b) a submental-neck portion coupled to the anterior facial portion and having a leading edge at a position posterior relative to the leading edge of the anterior facial portion, wherein the soft tissue filter screen is independently adjustable relative to the collimator, as recited by independent claim 1.

5. **As per claim 14 and dependent claims 15-19**, the examiner found no reference in the prior art that disclosed or made obvious a cephalometric radiology apparatus comprising: a soft

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tissue filter screen for attenuating a portion of an X-ray beam and mounted independently of a collimator, wherein the soft tissue filter screen comprises: a) an anterior facial portion having a leading edge, wherein the leading edge is located at the most posterior position of the anterior facial portion, and b) a submental-neck portion coupled to the anterior facial portion and having a leading edge at a position posterior relative to the leading edge of the anterior facial portion, wherein the soft tissue filter screen is independently adjustable relative to the collimator, as recited in independent claim 14.

6. **As per claim 20 and dependent claims 32 and 33**, the examiner found no reference in the prior art that disclosed or made obvious a method for imaging soft tissue and hard tissue congruently on the same radiograph comprising the steps of: positioning a soft tissue filter screen across an X-ray beam independently of the step of positioning a collimator, to attenuate the X-rays passing through a portion of the forehead, nose, lips, chin and neck of a patient, wherein the soft tissue filter screen comprises: a) an anterior facial portion having a leading edge, wherein the leading edge is located at the most posterior position of the anterior facial portion, and b) a submental-neck portion coupled to the anterior facial portion and having a leading edge at a position posterior relative to the leading edge of the anterior facial portion, as recited in independent claim 20.

7. **As per claim 21 and dependent claims 22-31 and 34**, the examiner found no reference in the prior art that disclosed or made obvious a modular soft tissue filter screen system comprising: a soft tissue filter screen for attenuating a portion of an X-ray beam, wherein the soft tissue filter screen comprises: a) an anterior facial portion having a leading edge, wherein the leading edge is located at the most posterior position of the anterior facial portion, and b) a

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submental-neck portion coupled to the anterior facial portion and having a leading edge at a position posterior relative to the leading edge of the anterior facial portion, as recited in independent claim 21.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney Thomas whose telephone number is (571) 272-2496. The examiner can normally be reached on M - F (9 am - 5 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Courtney Thomas  
Examiner  
Art Unit 2882



EDWARD J. GLICK  
SUPERVISORY PATENT EXAMINER